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10
11 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
12 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

13 In the Matter of the Accusation Against:

Case No. 800-2013-000930

14
15 **ADAM F. DORIN, M.D.**
16 **3972 Barranca Parkway, J-115**
Irvine, CA 92606

A C C U S A T I O N

17 **Physician's and Surgeon's Certificate**
18 **No. G86440,**

19 Respondent.

20 Complainant alleges:

21 **PARTIES**

22 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
23 capacity as the Executive Director of the Medical Board of California, Department of Consumer
24 Affairs.

25 2. On or about March 20, 2002 the Medical Board issued Physician's and Surgeon's
26 Certificate No. G86440 to Adam F. Dorin, M.D. (Respondent). The Physician's and Surgeon's
27 Certificate was in full force and effect at all times relevant to the charges brought herein and will
28 expire on June 30, 2017, unless renewed.

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO Sept. 10 20 15
BY [Signature] ANALYST

JURISDICTION

3. This Accusation is brought before the Medical Board of California (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 2227 of the Code states:

“(a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary action with the board, may, in accordance with the provisions of this chapter:

“(1) Have his or her license revoked upon order of the board.

“(2) Have his or her right to practice suspended for a period not to exceed one year upon order of the board.

“(3) Be placed on probation and be required to pay the costs of probation monitoring upon order of the board.

“(4) Be publicly reprimanded by the board. The public reprimand may include a requirement that the licensee complete relevant educational courses approved by the board.

“(5) Have any other action taken in relation to discipline as part of an order of probation, as the board or an administrative law judge may deem proper.

“(b) Any matter heard pursuant to subdivision (a), except for warning letters, medical review or advisory conferences, professional competency examinations, continuing education activities, and cost reimbursement associated therewith that are agreed to with the board and successfully completed by the licensee, or other matters made confidential or privileged by existing law, is deemed public, and shall be made available to the public by the board pursuant to Section 803.1.”

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1 5. Section 2234 of the Code, states:

2 “The board shall take action against any licensee who is charged with
3 unprofessional conduct. In addition to other provisions of this article,
4 unprofessional conduct includes, but is not limited to, the following:

5 “...

6 “(e) The commission of any act involving dishonesty or corruption
7 that is substantially related to the qualifications, functions, or duties of a physician
8 and surgeon.

9 “...”

10 6. Unprofessional conduct under Code section 2234 is conduct which breaches the rules
11 or ethical code of the medical profession, or conduct which is unbecoming a member in good
12 standing of the medical profession, and which demonstrates an unfitness to practice medicine.
13 (*Shea v. Board of Medical Examiners* (1978) 81 Cal.App.3d 564, 575.)

14 **FIRST CAUSE FOR DISCIPLINE**

15 **(Dishonest and Corrupt Acts)**

16 7. Respondent has subjected his Physician’s and Surgeon’s Certificate No. G86440 to
17 disciplinary action under sections 2227 and 2234, as defined by section 2234, subdivision (e), of
18 the Code, in that he committed dishonest and corrupt acts as more particularly alleged hereinafter:

19 **Sharp Grossmont Hospital**

20 8. On or about May 10, 2012, a report was made to Sharp Grossmont Hospital (SGH)
21 security regarding missing drugs from anesthesia carts in the Women’s Health Center Operating
22 Rooms at SGH.

23 9. On or about July 17, 2012, video cameras were installed in the SGH
24 Women’s Health Center Operating Rooms as part of an investigation into the missing drugs.

25 10. Between on or about September 14, 2012, through on or about April 3, 2013,
26 respondent was observed on camera, on multiple occasions, entering one or more of the operating
27 rooms located inside the SGH Women’s Health Center and removing items from the drug carts,
28 including propofol, and placing the items into his shirt pocket.

11. On or about April 4, 2013, respondent was interviewed as part of the SGH investigation. Respondent denied taking propofol from anesthesia carts. When later confronted with video evidence to the contrary, respondent admitted removing items from the drug carts, including propofol, and placing the items into his shirt pocket.

12. On or about April 9, 2013, SGH's Medical Executive Committee (MEC) was provided information that respondent was seen removing medications, including propofol, from anesthesia carts. The MEC summarily suspended respondent's staff privileges.

13. On or about April 10, 2013, the MEC lifted the suspension of respondent's privileges and elected to have the Medical Staff Leadership further investigate the allegations against respondent. Respondent resigned his privileges at SGH during the pendency of that investigation.

Fraudulent Emails

14. On or about July 9, 2012, respondent sent a false and fraudulent email from his employer SGH's email service to the employer of R.B. under the fictitious name "Jack Lew," that falsely alleged R.B. had a police record and a history of altercations with the law. Respondent sent the email in order for his then girlfriend and R.B.'s soon to be ex-wife to gain an advantage in her divorce proceedings with R.B.

15. On or about July 17, 2012, respondent sent a false and fraudulent email from an email service through the Delrey Apartment Homes in Irvine California to the employer of R.B. and the State Bar of California under the fictitious name "Kathryn 'Kate' Saftine," that falsely alleged that R.B. engaged in unethical legal and business practices and withheld money from a client. Respondent sent the email in order for his then girlfriend and R.B.'s soon to be ex-wife to gain an advantage in her divorce proceedings with R.B.

SECOND CAUSE FOR DISCIPLINE

(General Unprofessional Conduct)

16. Respondent has further subjected his Physician's and Surgeon's Certificate No. G86440 to disciplinary action under section sections 2227 and 2234, as defined by section 2234, of the Code, in that he has engaged in conduct which breaches the rules or ethical code of the medical profession, or conduct which is unbecoming to a member in good standing of the medical

1 profession, and which demonstrates an unfitness to practice medicine, as more particularly
2 alleged hereinafter:

3 17. Paragraphs 8 through 15 above, are hereby incorporated by reference and re-alleged
4 as if fully set forth herein.

5 **PRAYER**

6 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
7 and that following the hearing, the Medical Board issue a decision:


8 1. Revoking or suspending Physician's and Surgeon's Certificate No. G86440, issued to
9 respondent Adam F. Dorin, M.D.;

10 2. Revoking, suspending or denying approval of respondent Adam F. Dorin, M.D.'s
11 authority to supervise physician assistants, pursuant to section 3527 of the Code;

12 3. Ordering respondent Adam F. Dorin, M.D., if placed on probation, to pay the Board
13 the costs of probation monitoring; and

14 4. Taking such other and further action as deemed necessary and proper.

15
16 DATED: September 10, 2015


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
State of California
Complainant